IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 633 OF 2006.

Abdul Hamid Khan Matwan ... Petitioner.
V/s.
The Assistant Registrar,
Co-op. Societies & ors. ... Respondents.

Shri A.A. Garge i/b Mandar Limate for the petitioner.

CORAM: V.C.DAGA, J.

DATED: 29.1.2007.

P.C.:

. Heard learned Counsel for the petitioner. Perused petition.

2. This petition is directed against the order dated 7th July 2005 passed by the Deputy Secretary to the Government of Maharashtra (Co-operative & Textile Deptt), contending that he was not given an opportunity of hearing. He, thus, complains breach of principles of natural justice.

3. On being noticed, learned A.G.P. appeared and filed counter affidavit on behalf of respondent Nos. 1,2 & 4, wherein a positive statement is made that the petitioner did not remain present on the date of hearing though he was served with notice of hearing. In para 4 of

the said affidavit, it is stated that on the basis of circular dated 24.7.1992 issued by the Deputy Secretary to the Government, Co-operation and Textile Department, permission has been granted for registering the society.

4. There is no counter affidavit filed by the petitioner controverting allegations made in the said affidavit in reply filed by the State.

5. In the above view of the matter, no case is made out to interfere with the impugned decision. The petitioner could not spelt out prejudice which he has suffered on account of the impugned order.

6. In the circumstances,petition is devoid of any substance. The same is dismissed in limine with no order as to costs.

(V.C.DAGA, J.)